



JAW

Applicant(s) : O'Hara et al Serial No. : 10/628,856 Filed : July 28, 2003

Title : UNTREATED DIFFUSION MEDIA WITH MESOPOROUS

LAYER AND DEVICES INCORPORATING THE SAME

Docket : GMC 0051 PA/40320.56

Confirm. No. : 3844 Art Unit : 1762

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING** 

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

1450 on Mareh 14, 2005.

James E. Beyer Reg. No. 39,564

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97, AND 1.98

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 CFR §1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56(a). While the information referred to in this Supplemental Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Supplemental Information Disclosure Statement is not intended to, pursuant to 37 CFR §1.97(h), constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103, and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish otherwise. Further, pursuant to 37 CFR §1.97(g), the filing of this Statement should not be construed as a statement that a search has been made or that no other material information exists.

Serial No. 10/628,856 Docket GMC 0051 PA/40320.56

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is believed to be filed before the mailing date of a first office action on the merits.

The undersigned attorney certifies that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

The Office has waived the requirement pursuant to 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A. Also enclosed is a copy of the PCT International Search Report dated January 13, 2005.

Respectfully submitted, DINSMORE & SHOHL LLP

By

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JEB/AMS

Encls.

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO ÎNFORMATION DISCLOSURE

**Application Number** 10/628,856 Filing Date July 28, 2003 First Named Inventor Jeanette E. O'Hara Art Unit 1762 **Examiner Name** 

Complete if Known

STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Attorney Docket Number GMC 0051 PA/40320.56 Sheet

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (f known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,659,528	4-21-1987	Plowman et al	
		<sup>US-</sup> 4,175,055	11-20-1979	Goller et al	
		<sup>US-</sup> 5,935,643	8-10-1999	Song et al	
		<sup>US-</sup> 3,238,068	3-1-1966	Hipp	
		<sup>US-</sup> 4,405,544	9-20-1983	Solomon	
		<sup>US-</sup> 4,468,362	8-28-1984	Solomon	
		US-			
	†	US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>		
		Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> (if known)						
		FR 2 413 796 A	7-27-1979	Electrochem Energieconve				
		EP 0 126 511 A	11-28-1984	Electrochem Energieconve				
		EP 0292 431 A	11-23-1988	Eltech Systems Corp.				
		EP 1 239 528 A	9-11-2002	Deutsch Zentr Luft & Raur				

Examiner	Dat	e
Signature	Cor	sidered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.